



WILLIAMS MULLEN

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July 7, 2006

ELECTRONICALLY FILED VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: **MB Docket No. 03-15**
Television Station WGTU-DT, Traverse City, Michigan (Facility Id. No. 59280),
Request for Temporary Waiver of July 1, 2006 Interference Protection Deadline

Dear Ms. Dortch:

On behalf of MTC License LLC (FRN: 0009735887) ("MTC"), the licensee of television broadcasting station WGTU-DT, Traverse City, Michigan, we hereby request a temporary waiver of the July 1, 2006 "use-it-or-lose-it" interference protection deadline in accordance with the procedures set forth in FCC Public Notice DA 06-1255, released June 14, 2006.

WGTU(TV) is licensed to operate on NTSC Channel 29, and WGTU-DT is authorized to operate on DTV Channel 31. WGTU-DT has elected to maximize on its NTSC Channel post transition. Effective July 1, 2006, WGTU-DT was obligated to cover 80% of the population served by the 1997 NTSC signal, until the end of the transition, when it will be required to provide 100% maximization coverage on Channel 29. WGTU-DT is currently operating pursuant to Special Temporary Authority at 3.2 kW with an antenna at 393 meters HAAT (see File No. BEDSTA-20060523ADE). This facility provides complete coverage of the community of license and serves 76% of its replication population.

MTC made its certification for maximization coverage in good faith. During the course of planning to comply fully with the 80% construction requirement, MTC discovered that the costs per-household-served of providing the additional 4% were extraordinary, relative to the cost of building a full facility with 100% coverage. Alteration of the STA facilities sufficient to achieve the additional 4% population coverage would cost nearly as much as complying fully with the construction permit – 100% coverage, thereby losing the intended benefit of the 80% coverage policy. In other words, compliance with the construction deadline at a full 80% level, would have completely undermined the Commission's stated policy to require less investment in

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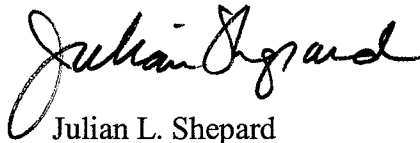
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temporary facilities by licensees electing ultimately to use their NTSC channels at the end of the transition. As soon as possible, MTC expects to construct full, authorized facilities on their DTV Channel in fulfillment of the existing DTV construction permit. Details of MTC's construction plan are set forth in the attached Declaration of Charles C. Stanton, MTC's Consulting Engineer (Exhibit A).

Accordingly, a temporary waiver of the construction deadline is warranted and in the public interest. Unforeseeable circumstances affected the licensee's construction plans. MTC respectfully requests a temporary waiver to continue interference protection of its maximization coverage until construction is completed.

Respectfully submitted,



Julian L. Shepard

cc: Shaun Maher (via e-mail)
Attachment: Exhibit A (Declaration of Charles C. Stanton)

DECLARATION OF CHARLES C. STANTON

Under penalty of perjury I, Charles C. Stanton, of Stancom, 4401 Leatherwood Drive, Virginia Beach, Virginia 23462, hereby declare that:

1. I am a Consulting Engineer who has over 40 years of experience in the design, procurement, installation and testing of Broadcast and other Telecommunications systems around the world. Further, over the past fourteen years I have consulted with and have designed, procured, installed and tested multiple new and upgraded TV and FM broadcast facilities for the principals of Max Media LLC ("Max Media"). Further, I have personal knowledge (except where noted) of the following facts concerning the construction of digital television facilities for MTC License LLC, a subsidiary of Max Media, the licensee of full power television station WGTU(TV), located in Traverse City, Michigan:

2. WGTU(TV) is currently licensed to operate on NTSC Channel 29. WGTU-DT is currently licensed to operate on Channel 31, and has elected to use Channel 29 for its post-transition DTV operation.

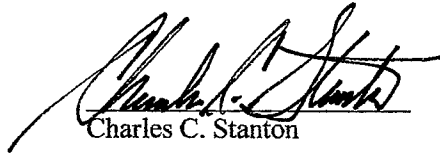
3. WGTU-DT is required to construct a DTV facility that serves 80% of the number of viewers served by its 1997 NTSC facility by the July 1, 2006 "use-it-or-lose-it" construction deadline, in order to maintain the interference protection in the current DTV Table of Allotments.

4. WGTU-DT, pursuant to Special Temporary Authority ("STA"), is currently broadcasting at 3.2 kW with an antenna HAAT of 393 meters (BEDSTA-20060523ADE). The WGTU-DT STA signal completely covers its community of license and serves 76% of the number of viewers served by its 1997 NTSC facility.

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5. This site will be built to 100% coverage by moving the transmitter at KYTX-DT in Tyler, Texas to Traverse City, Michigan. The new KYTX-DT transmitter will be delivered from the manufacturer and installed within 120-160 days. The existing KYTX-DT transmitter will be returned to the factory for retuning and the addition of a new mask filter. This is expected to take 30-45 days. At that time, the refurbished transmitter will be sent to WGTU-DT, and should be fully operational within 20-30 days after receipt of the unit in Traverse City. Therefore, WGTU-DT should be operating at full DTV coverage by April 2007.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 7, 2006.



Charles C. Stanton